



AD-A271 960



November 2, 1981
NUMBER 5525.4

ASD(MRA&L)

Department of Defense Directive

SUBJECT: Enforcement of State Traffic Laws on DoD Installations

- REFERENCES:
- (a) DoD Instruction 6055.4, "Department of Defense Traffic Safety Program," November 7, 1978
 - (b) Delegation of Authority to the Secretary of Defense by the Administrator, General Services Administration, March 20, 1981 (enclosure 1)
 - (c) Title 18, United States Code, Section 13
 - (d) Title 40, United States Code, Section 318c

A. PURPOSE

This Directive establishes policies pursuant to the requirements of reference (a) and to authority delegated to the Secretary of Defense under reference (b) for the enforcement, on DoD military installations, of those state vehicular and pedestrian traffic laws that cannot be assimilated under reference (c).

B. APPLICABILITY AND SCOPE

1. The provisions of this Directive apply to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies.

2. The provisions encompass all persons who operate or control a motor vehicle or otherwise use the streets of a military installation over which the United States exercises exclusive or concurrent legislative jurisdiction.

3. The provisions govern only vehicular and traffic offenses or infractions that cannot be assimilated under reference (c), thereby precluding application of state laws to traffic offenses committed on military installations.

C. POLICY

1. It is the policy of the Department of Defense that an effective, comprehensive traffic safety program be established and maintained at all military installations as prescribed in reference (a).

2. State vehicular and pedestrian traffic laws that are now or may hereafter be in effect shall be expressly adopted and made applicable on military installations to the extent provided by this

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Approved for public release

Distribution Statement

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Directive. All persons on a military installation shall comply with the vehicular and pedestrian traffic laws of the state in which the installation is located.

3. A person found guilty of violating, on a military installation, any state vehicular or pedestrian traffic law made applicable to the installation under the provisions of this Directive is subject to a fine of not more than \$50 or imprisonment for not more than 30 days, or both, for each violation (40 U.S.C. 318c (reference (d))).

4. This Directive does not limit the application of any federal law or regulation or, under 18 U.S.C. 13 (reference (c)), any state law made applicable to offenses committed on military installations.

5. A copy of this Directive shall be posted in an appropriate place on the DoD installation concerned.

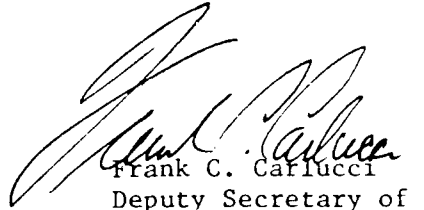
D. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) shall modify this Directive, as appropriate.

2. Secretaries of the Military Departments shall comply with this Directive.

E. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.



Frank C. Carlucci
Deputy Secretary of Defense

Enclosure - 1

1. Delegation of Authority

Nov 2, 81
5525.4 (Encl 1)

GENERAL SERVICES ADMINISTRATION

6F00-20

(D-81-)

DELEGATION OF AUTHORITY TO THE SECRETARY OF DEFENSE

1. Purpose. This delegation authorizes the Secretary of Defense to assist in controlling vehicular and pedestrian traffic on military installations in the United States.
2. Effective date. This delegation became effective on March 20, 1981.
3. Delegation.

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and the Act of June 1, 1948 (62 Stat. 281), as amended, authority is hereby delegated to the Secretary of Defense to make all needful rules and regulations, and to attach to these rules and regulations such reasonable penalties, not to exceed those prescribed in 40 U.S.C. 318c, as will ensure their enforcement for governing vehicular and pedestrian traffic on military installations of the Department of Defense, as defined in 40 U.S.C. 612, in the United States and over which the United States has exclusive or concurrent legislative jurisdiction.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the limitations and requirements of the above-cited acts, and the policies, procedures, and controls prescribed by the General Services Administration.

4. Effect on other directives. FPMR Temporary Regulation D-28 is revoked.

Dated: JUN 2 1981

(Signature)

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DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL

NUMBER	DATE	DISTRIBUTION
5525.4, Ch 1	October 31, 1986	5000 series

ATTACHMENTS

Pages 1&2

INSTRUCTIONS FOR RECIPIENTS

The following page changes to DoD Directive 5525.4, "Enforcement of Traffic Laws on DoD Installations," November 2, 1981, are authorized:

PAGE CHANGES

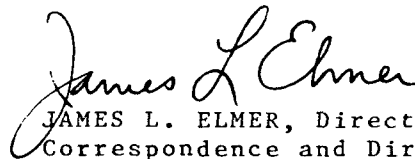
Remove: Pages 1&2

Insert: Attached replacement pages

Changes appear on page 2 and are indicated by marginal asterisks.

EFFECTIVE DATE AND IMPLEMENTATION

The above changes are effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.


JAMES L. ELMER, Director
Correspondence and Directives

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT



November 2, 1981
NUMBER 5525.4

ASD(MRA&L)

Department of Defense Directive

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This Directive establishes policies pursuant to the requirements of reference (a) and to authority delegated to the Secretary of Defense under reference (b) for the enforcement, on DoD military installations, of those state vehicular and pedestrian traffic laws that cannot be assimilated under reference (c).

B. APPLICABILITY AND SCOPE

1. The provisions of this Directive apply to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies.

2. The provisions encompass all persons who operate or control a motor vehicle or otherwise use the streets of a military installation over which the United States exercises exclusive or concurrent legislative jurisdiction.

3. The provisions govern only vehicular and traffic offenses or infractions that cannot be assimilated under reference (c), thereby precluding application of state laws to traffic offenses committed on military installations.

C. POLICY

1. It is the policy of the Department of Defense that an effective, comprehensive traffic safety program be established and maintained at all military installations as prescribed in reference (a).

2. State vehicular and pedestrian traffic laws that are now or may hereafter be in effect shall be expressly adopted and made applicable on military installations to the extent provided by this

Nov 2, 81#

Directive. All persons on a military installation shall comply with the vehicular and pedestrian traffic laws of the state in which the installation is located.

* 3. Pursuant to the authority established in enclosure 1,
* installation commanders of all DoD installations in the United
* States and over which the United States has exclusive or
* concurrent legislative jurisdiction are delegated the authority
* to establish additional vehicular and pedestrian traffic rules
* and regulations for their installations. All persons on a
* military installation shall comply with locally established
* vehicular and pedestrian traffic rules and regulations. *

* 4. A person found guilty of violating, on a military
* installation, any state vehicular or pedestrian traffic law or
* local installation vehicular or pedestrian traffic rule or
* regulation made applicable to the installation under the
* provisions of this Directive is subject to a fine of not more
* than \$50 or imprisonment for not more than 30 days, or both,
* for each violation (40 U.S.C. 318c (reference (d))). *

5. This Directive does not limit the application of any Federal law or regulation or, under 18 U.S.C. 13 (reference (c)), any state law made applicable to offenses committed on military installations.

6. A copy of this Directive shall be posted in an appropriate place on the DoD installation concerned.

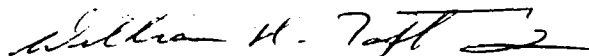
D. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) shall modify this Directive, as appropriate.

2. Secretaries of the Military Departments shall comply with this Directive.

E. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.


William H. Taft, IV
Deputy Secretary of Defense

Enclosure - 1

1. Delegation of Authority

#Amendment 1, Ch 1 (10/31/86)